

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KALVIN JOSEPH GOBERT,

Defendant.

CR-15-75-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on April 30, 2020. (Doc. 65.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on April 29, 2020. (Doc. 61.) The United States accused Gobert of violating his conditions of supervised release 1) by using methamphetamine on two separate occasions; and 2) by failing to report for sex offender treatment; (Doc. 58 at 2.)

At the revocation hearing, Gobert admitted that he had violated a condition of his supervised release 1) by using methamphetamine on two separate occasions; and 2) by failing to report for sex offender treatment (Doc. 61.) Judge Johnston found that Gobert's violations warranted revocation, and recommended that Gobert should receive a custodial sentence of 3 months of custody, with 30 months of supervised release to follow, with the first 180 days of supervised release at a residential re-entry center, as directed by his probation officer. (Doc. 65 at 4.) Gobert waived his right to objected to the Findings and Recommendations and waived his right to allocute before the undersigned. (Doc. 61.)

The violations prove serious and warrant revocation of Gobert's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 65) are **ADOPTED IN FULL**.

IT IS FURTHER ORDERED that Defendant Calvin Joseph Gobert be incarcerated for a term of 3 months of custody, with 30 months of supervised

release to follow, with the first 180 days of supervised release at a residential re-entry center, as directed by his probation officer.

DATED this 30th day of April, 2020.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court

